

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VNUS MEDICAL TECHNOLOGIES, INC.

No. C-05-2972 MMC

Plaintiff

v.

DIOMED HOLDINGS, INC., et al.,

**ORDER GRANTING IN PART AND
DENYING IN PART JOINT STIPULATED
MOTION FOR ADMINISTRATIVE RELIEF
TO FILE DOCUMENTS UNDER SEAL
(DOCKET NO. 528)**

Defendants

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Before the Court is the parties' Joint Stipulated Motion for Administrative Relief to File Documents Under Seal, filed October 12, 2007, by which plaintiff seeks leave to file under seal unredacted versions of certain documents submitted in opposition to defendants' Motion for Summary Judgment of No Willful Infringement. Having reviewed the parties' submissions filed in support of the motion, the Court rules as follows:

1. The motion is GRANTED in part, specifically, as to the following documents that defendants Diomed Holdings, Inc. and Diomed, Inc. have shown contain material properly filed under seal, (see Wylie Decl., filed October 19, 2007, ¶ 4):

a. Plaintiff VNUS Medical Technologies, Inc.'s Opposition to Defendants' Motion for Summary Judgment of No Willful Infringement; and

b. Exhibits 13, 22, 23, and 31 to the Declaration of Suong T. Nguyen in

1 Support of Plaintiff VNUS Medical Technologies, Inc.'s Opposition to Defendants' Motion
2 for Summary Judgment of No Willful Infringement.

3 2. The motion is DENIED in part, specifically, with respect to Exhibits 19, 25, 26,
4 and 28 to the Declaration of Suong T. Nguyen in Support of Plaintiff VNUS Medical
5 Technologies, Inc.'s Opposition to Defendants' Motion for Summary Judgment of No Willful
6 Infringement, because, as to each such exhibit, no defendant has, within the time provided
7 by Civil Local Rule 79-5(d), submitted a supporting declaration; the Clerk is directed to file
8 said exhibits in the public record.

9 **IT IS SO ORDERED.**

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11 Dated: October 23, 2007


MAXINE M. CHESNEY
United States District Judge